

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

DONALD C. HUTCHINS

Plaintiff

v.

CARDIAC SCIENCE, INC.

Defendant

---

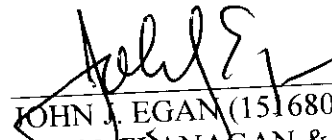
Civil Action: 04-30126-MAP

**COMPLIENT CORPORATION'S MOTION FOR LEAVE TO FILE *INSTANTER***  
**REPLY BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

Defendant Compliant Corporation ("Compliant") respectfully requests leave of Court, pursuant to Local Rule 7.1, to file the *instanter* Reply Brief in Support of its Motion for Summary Judgment. Compliant seeks leave of this Court to file the *instanter* Reply Brief in order to address the legal arguments contained in Plaintiff's Opposition to Defendant Compliant Corporation's Motion for Summary Judgment and Plaintiff's Memorandum of Law Controverting Defendant Compliant Corporation's Local Rule 56.1 Statement of Undisputed Facts, and to further clarify why Compliant's Motion for Summary Judgment should be granted.

Accordingly, for good cause having been shown, Compliant respectfully requests that the Court grant it leave to file the *instanter* Reply Brief in Support of its Motion for Summary Judgment.

Respectfully submitted,



JOHN J. EGAN (151680)  
EGAN, FLANAGAN & COHEN, P.C.  
PO Box 9035  
67 Market Street  
Springfield, MA 01102-9035  
(413) 737-0260  
FAX (413) 737-0121

WILLIAM E. COUGHLIN (OH #0010874)  
COLLEEN M. O'NEIL (OH #0066576)  
JEFFREY J. LAUDERDALE (OH #0074859)  
CALFEE, HALTER & GRISWOLD LLP  
1400 McDonald Investment Center  
800 Superior Avenue  
Cleveland, Ohio 44114  
(216) 622-8200  
(216) 241-0816 (facsimile)

Attorneys for Defendant  
Compliant Corporation